

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date: 4/19/2010

Case Number 2:05-cr-107

Case Style: United States vs. Lecco

Type of hearing Criminal Jury Trial

Before the honorable: 2508-Copenhaver

Court Reporter Barbara Steinke

Courtroom Deputy Kelley Miller

Attorney(s) for the Plaintiff or Government R. Gregory McVey, Charles T. Miller, Richard E. Burns

Attorney(s) for the Defendant(s) Gerald Zerkin, Amy Austin, Brian Kornbrath

Law Clerk

Probation Officer

Trial Time

Jury Trial. Day No. 1

Non-Trial Time

Court Time

11:39 am to 12:34 pm

10:08 am to 11:14 am

1:43 pm to 3:39 pm

3:56 pm to 5:20 pm

Total Court Time: 5 Hours 21 Minutes Court actively conducting trial proceedings/Contested proceedings

9:42 am to 9:56 am

Total Court Time: 0 Hours 14 Minutes Other proceedings during trial

Courtroom Notes

9:30 case set

9:42 - case called - juror issues taken up with counsel

9:56 Recess

10:08 Resume

Jury in - case called

Oath to try the issues administered to the jury

Court gave preliminary instructions

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Opening statements - R. Gregory McVey/Amy L. Austin

11:14 Recess

11:39 Resume

US #1 Sgt. Anthony Perdue

US Exh. #1a - Photo of Pizza Plus - admitted

US Exh. #1b - Photo of Pizza Plus - admitted

US Exh. #1c - Photo of Pizza Plus - admitted

US Exh. #1d - Aerial view of Pizza Plus - admitted

US Exh. #2 - cocaine -

US Exh. #3 - recording - admitted

US Exh. #3a - transcript of recording

US Exh. #4 - cocaine

US Exh. #5 - recording - admitted

US Exh. 5a - transcript of recording

US Exh. #6 - cocaine

US Exh. #7 - recording - admitted

US Exh. #7a - transcript of recording

12:34 Recess

1:43 Resume

US Exh. #8 - recording - admitted

US Exh. #8a - transcript of recording

US Exh. #9 - cocaine -

US Exh. #10 - recording - admitted

US Exh. #10a - transcript of recording

US Exh. #11 - search warrant - admitted

US Exh. #12 - diagram of Pizza Plus - admitted

US Exh. #13 - digital scales - admitted

US Exh. #14 - target letter - admitted

US Exh. #15a - photo of Double Camp - admitted

US Exh. #15b - aerial photo of Double Camp - admitted

US Exh. #16 - photo of trailer - admitted

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US Exh. #17 - photo of trailer - admitted

US Exh. #18 - shovel - admitted

US Exh. #27a - burial scene photo - admitted

US Exh. #27b - burial scene photo - admitted

US Exh. #27c - burial scene photo - admitted

US Exh. #27d - burial scene photo - admitted

US Exh. #27e - burial scene photo - admitted

US Exh. #27f - burial scene photo - admitted

US Exh. #27g - burial scene photo - admitted

US Exh. #27h - burial scene photo - admitted

US Exh. #21 - Bushmaster rifle -

US Exh. #23 - photo of Bushmaster -

US Exh. #23 - Norinco rifle -

US Exh. #24 - photo of Norinco -

US Exh. #25 - Mosin Nagant rifle -

US Exh. #26 - photo of Nagant -

3:39 Recess

3:56 Resume

In with counsel only - Juror Allen's situation was explained with regard to his brother's passing and the funeral arrangements

Parties agree to excuse him from the trial

Sgt. Perdue resumed the stand

US #2 Michael Looney, deceased (read by Larry R. Ellis, AUSA)

US Exh. #19 - redacted trial transcript

US Exh. #19a - unredacted trial transcript

US Exh. #36 - firearm paperwork - admitted

Jury excused

Parties agree on how to resolve the problem with US Exh. #19

5:20 concluded